

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DAVID SPURGEON,

Plaintiff,

v.

**THE NJ STATE POLICE, *et al.*,
Defendants.**

Civ. No. 12-3352 (WJM)

ORDER

A Report and Recommendation (“the R&R”) was filed by Magistrate Judge Mark Falk on November 12, 2014 recommending that Defendants’ motion to dismiss Plaintiff’s Complaint pursuant to Fed. R. Civ. P. 37(b)(2) and 41(b) be granted. Plaintiff filed informal objections to the R&R on November 24, 2014 and Defendants filed their response on December 1, 2014. After careful consideration of the parties’ submissions and a *de novo* review of the R&R, and good cause appearing,

IT IS on this 16th day of December 2014, hereby

ORDERED that the R&R is adopted as the Opinion of this Court; and it is

FURTHER ORDERED that Defendants’ motion to dismiss is **GRANTED**; and it is

FURTHER ORDERED that Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE**.

/s/ William J. Martini
WILLIAM J. MARTINI, U.S.D.J.

cc: The Hon. Mark Falk, U.S.M.J.